

05.04.2024
Item No.46
AD/SD
Court No.28
(Allowed)

C.R.M. (A) No. 1149 of 2024

In Re:- An application for anticipatory bail under Section 438 of the Code of Criminal Procedure in connection with **Tehatta** Police Station Case No. **161 of 2024** dated **07.03.2024** under Sections **448/354B/307/506** of the Indian Penal Code, 1860 and added Sections **376/511** of the Indian Penal Code, 1860 presently pending before the Learned Additional Chief Judicial Magistrate, Tehatta at Nadia. (S.L. No.475 of 2024)

And

In Re : Bilwamangal Halder @ Billomongal Halder
..... petitioner

Mr. Arnab Chatterjee
Mr. Amanul Islam
Mr. Sourav Mukherjee
Ms. Poulomi Bose

.....for the petitioner

Mr. Rana Mukherjee, Ld. APP
Ms. Payel Ghosh

....for the State

1. Petitioner submits there was a dispute amongst family members over demarcation of land. He has been falsely implicated. He prays for anticipatory bail.
2. Learned Lawyer for the State opposes the prayer for anticipatory bail.
3. We have considered the materials on record. We have also gone through the statement of the victim recorded before Magistrate. Possibility of embellishment owing to prior enmity over a land dispute cannot be ruled out.
4. Under such circumstances, we are inclined to grant anticipatory bail to the petitioner.

5. Accordingly, we direct that in the event of arrest the petitioner shall be released on bail upon furnishing a bond of Rs.10,000/-, with two sureties of like amount each, to the satisfaction of the arresting officer and also be subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 and on condition that he shall appear before the jurisdictional Court and pray for regular bail within a period of four weeks from date.
6. The prayer for anticipatory bail of the petitioner is allowed.
7. **C.R.M. (A) No. 1149 of 2024** is disposed of.

(Gaurang Kanth, J.)

(Joymalya Bagchi, J.)